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April 18, 2003

K.R.E.F.

Ms. Rosemary Center
General Counsel
Kentucky Registry of Election Finance
600 West Walnut Street
Frankfort, Kentucky 40601

Re: Request for Advisory Opinion

Dear Ms. Center:

I am writing on behalf of the Friends of Ernie Fletcher gubernatorial campaign with a request for an advisory opinion on issues related to payment of legal expenses by the campaign.

We request the Registry's opinion on the following issues:

1. *Can a principal in a law firm that is a personal service corporation volunteer his time in defending a legal action against the campaign committee?*

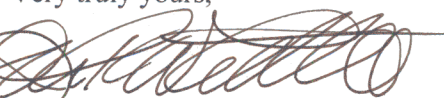
KRS 121.015(7) provides that the definition of contribution does not include "[s]ervices provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate." I am aware of Registry Opinions 93-025 and 93-026, which provide that an attorney who is a sole practitioner can volunteer such services without those services being considered a contribution. However, given the prohibition against corporate contributions, is the same analysis applicable to a principal of a personal service corporation who wants to donate his services?

2. *Do contributions received after the primary election pursuant to KRS 121.150(20) count as contributions attributable to the primary or contributions attributable to the general election for purposes of contribution limits?*

KRS 121.150(20) provides that a "slate of candidates ... may solicit and accept contributions after the date of the primary ... to defray necessary expenses that arise after the date of the election associated with ... legal actions pertaining to a specific election to which a candidate [or] slate of candidates ... is a party." Assuming that the slate of candidates won the primary, but was required to continue making expenditures associated with a legal action, would the post-primary receipt of contributions to defray such expenditures be counted against an individual's contribution limit for the primary or an individual's contribution limit for the general election?

I appreciate your consideration of these requests. If you require additional information, please give me a call.

Very truly yours,



John K. Whittle